

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

CSX TRANSPORTATION, INC.,

Plaintiff,

v.

Civil Action No. 5:05CV202
(STAMP)

ROBERT V. GILKISON,
PEIRCE, RAIMOND & COULTER, P.C.,
a Pennsylvania professional corporation
a/k/a ROBERT PEIRCE & ASSOCIATES, P.C.,
a Pennsylvania professional corporation
and JOHN DOES,

Defendants.

**ORDER GRANTING PLAINTIFF'S MOTION FOR STATUS AND SCHEDULING
CONFERENCE AND SCHEDULING STATUS AND SCHEDULING CONFERENCE**

On May 16, 2007, plaintiff, CSX Transportation, Inc. ("CSX") filed a motion for a status and scheduling conference. In its motion, CSX requests a conference to address discovery issues and to establish a new deadline for the completion of Phase I discovery. Defendant, Peirce, Raimond & Coulter, P.C. ("Peirce Firm") filed a response to CSX's motion and states that a status and scheduling conference with the Court may be appropriate but that the Peirce Firm opposes any extension of Phase I discovery.

This Court finds that a status and scheduling conference in this matter would be beneficial. This Court defers ruling, until the time of the status and scheduling conference, on CSX's request for an extension of Phase I discovery. The parties are directed to appear by counsel for a status and scheduling conference on **July 12, 2007 at 2:15 p.m.** at the Wheeling point of holding court.

The Court will permit those out-of-town attorneys having their offices further than forty miles from the point of holding court to participate in the conference by telephone. However, any such attorney shall advise the Court at least three working days prior to the conference of his or her intention to participate by telephone and shall (1) inform all counsel of his or her appearance by telephone; (2) confer with other out-of-town attorneys to determine if they wish to appear by telephone; (3) advise the Court of the name of the attorney who will initiate the conference call and all such attorneys appearing by telephone; and (4) initiate a timely conference telephone call with such attorneys to the Court at 304/233-1120 at the time of the scheduled conference. If the attorneys cannot reach agreement as to the initiator of the call, the Court will make that determination.

IT IS SO ORDERED.

The Clerk is directed to transmit a copy of this order to counsel of record herein.

DATED: July 5, 2007

/s/ Frederick P. Stamp, Jr.
FREDERICK P. STAMP, JR.
UNITED STATES DISTRICT JUDGE